IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 15711 of 2004

Between:

G. Nagaraju, S/o. Ramachander,
R/o. 11-14-142/3, L.B. Nagar, Ranga Reddy District.

..... PETITIONER

AND

1. The Chairman and Managing Director, A.P. Tourism Development Corporation Limited, Himayathnagar, Hyderabad - 29.
2. A.P. Tourism Development Corporation Limited, Rep. by its Manager, Taramati Baradari Culture Complex, Ibrahimbagh, Hyderabad-31.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court be pleased to issue a Writ of Mandamus declaring the action of 2nd respondent in issuing the impugned order in Rc.No.TDC/Admn./2004 dt. 31-3-2004 as illegal, arbitrary, discrimination and violation of principles of natural justice and set aside the same and consequently direct the respondents to reinstate the petitioner into service by continuing him with all consequential benefits and pass such other orders.

Counsel for the Petitioner:MR.K.VENKATESWARLU

Counsel for the Respondents: MR.N.KRISHNA RAO

The Court at the admission stage made the following Order:

THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION NO.15711 OF 2004

ORDER:

This writ petition is filed seeking a Writ of Mandamus declaring the action of the second respondent in issuing the impugned proceedings dated 31.03.2004 as illegal and arbitrary.

The petitioner was appointed as a Supervisor in the respondent-Corporation on contract basis for a period of nine months with effect from 06.09.2003 and that his contract period is valid upto 31.03.2004. After the expiry of the contract period, the impugned proceedings dated 31.03.2004 was issued relieving the petitioner as Supervisor with effect from 31.03.2004. Challenging the same, the present writ petition is filed.

Learned counsel for the petitioner contended that the petitioner was appointed as a receptionist on contract basis in the respondent-Corporation by proceedings dated 23.12.2002 and that it was mentioned that the contract period would come to end by 31.03.2005. He further contended that since the contract period is till 31.03.2005, the order of relieving the petitioner by the respondent-Corporation is unsustainable and is liable to be set aside.

On the other hand, learned Standing Counsel for respondents contended that the contract period of the petitioner as a Supervisor is upto 31.03.2004 and therefore, the impugned proceedings does not warrant any interference of this Court.

This Court is unable to agree with the contention of the learned counsel for the petitioner that the contract appointment of the petitioner as a receptionist has to be continued till 31.03.2005. A perusal of the proceedings dated 23.12.2002 would reveal that the contract appointment of the petitioner as a

receptionist is valid upto 31.03.2005. But, in the meanwhile, the petitioner was appointed as a Supervisor on contract basis with effect from 06.09.2003, which will be valid upto 31.03.2004. After expiry of the said period, he was rightly relieved and, therefore, the impugned proceedings does not suffer from any legal infirmities warranting interference of this Court.

The writ petition is accordingly dismissed. This order, however, will not preclude the respondent-Corporation from considering the case of the petitioner in any future vacancies as per rules. No costs.

23.11.2004

usd

To

1 The Chairman and Managing Director, A.P. Tourism Development

Corporation Limited, Himayathnagar, Hyderabad - 29.

2 The Manager, A.P. Tourism Development Corporation Limited, Taramati Baradari Culture Complex, Ibrahimbagh, Hyderabad-31.

3. Two CD copies.